

SENATE BILL No. 372

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-29-11-1; IC 33-19.

Synopsis: Sheriff's fees. Increases the fees for: (1) filing an accident report from not less than \$3 to not less than \$10; and (2) service of process by a sheriff in a civil action filed outside Indiana from \$40 to \$80. Increases the county contribution to the police pension trust fund from \$12 to \$24 for each claim denoting service of certain legal documents by a county sheriff.

Effective: July 1, 2004.

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January 12, 2004, read first time and referred to Committee on Rules and Legislative Procedure.

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Introduced

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

SENATE BILL No. 372

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-29-11-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 1. (a) The main
3 department, office, agency, or other person under whose supervision a
4 law enforcement officer carries on the law enforcement officer's duties
5 may charge a fee that is fixed by ordinance of the fiscal body in an
6 amount not less than ~~three ten~~ dollars (~~\$3~~) (**\$10**) for each report.

7 (b) The fee collected under subsection (a) shall be deposited in the
8 following manner:

9 (1) If the department supplying a copy of the accident report is the
10 state police department, in a separate account known as the
11 "accident report account". The account may be expended at the
12 discretion of the state police superintendent for a purpose
13 reasonably related to the keeping of accident reports and records
14 or the prevention of street and highway accidents.

15 (2) If the department supplying a copy of the accident report is the
16 sheriff, county police, or county coroner, in a separate account
17 known as the "accident report account". The account may be



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expended at the discretion of the chief administrative officer of the entity that charged the fee for any purpose reasonably related to the keeping of accident reports and records or the prevention of street and highway accidents.

(3) If the department supplying a copy of the accident report is a city or town police department, in the local law enforcement continuing education fund established by IC 5-2-8-2.

SECTION 2. IC 33-19-6-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 15. (a) In addition to any other fee for service of process, if:

(1) a person files a civil action outside Indiana; and

(2) a sheriff in Indiana is requested to perform a service of process:

(A) associated with the civil action; and

(B) in Indiana;

the sheriff shall collect from the person who filed the civil action a service of process fee of ~~forty eight~~ dollars (~~\$40~~) (**\$80**).

(b) A sheriff shall transfer fees collected under this section to the county auditor of the county in which the sheriff has jurisdiction to be deposited:

(1) in the pension trust established by the county under IC 36-8-10-12; or

(2) if the county has not established a pension trust under IC 36-8-10-12, in the county general fund.

SECTION 3. IC 33-19-7-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 7. (a) This section applies to a county in which there is established a pension trust under IC 36-8-10-12.

(b) From the county share distributed under section 2 of this chapter and deposited into the county general fund, the county fiscal body shall appropriate ~~twelve~~ **twenty-four** dollars (~~\$12~~) (**\$24**) for each verified claim presented by the sheriff to the fiscal body under subsection (c). Amounts appropriated under this subsection shall be deposited by the county auditor into the pension trust established under IC 36-8-10-12.

(c) For each service of a writ, order, process, notice, tax warrant, or other paper completed by the sheriff, the sheriff shall submit to the county fiscal body a verified claim of service.

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